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REPLY TO:

Cranford

December 3, 2004

Kedari Reddy, Esq.
United States Environmental Protection Agency
290 Broadway
New York, New York 10007-1866

Re: Lower Passaic River/Congoleum
CERCLA Docket No.: 02-2004-2011
Our File No.: 8851

Dear Ms. Reddy:

Thank you for your letter of November 30, 2004. Congoleum is involved in a pre-packaged asbestos bankruptcy, involving significant contentious disputes with its insurance carriers. This circumstance delays resolution of the coverage issues regarding the Lower Passaic River matter.

Nevertheless, I do want to confirm with you that Congoleum remains committed to being one of the 40 PRPs participating in the settlement with EPA, subject to bankruptcy court approval. We will be seeking bankruptcy approval to do so.

I have advised Mr. Hengemihle and Ms. Won of the above as well. Bankruptcy approval will authorize Congoleum to fund its administrative assessments to the PRP group as well as its interim allocated share of the settlement payments.

Sincerely yours,

DUGHI, HEWIT & PALATUCCI

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cc: Emily Won, Esq.
William Hengemihle

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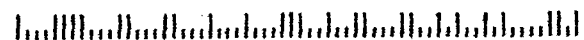
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